

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

DOCKET NO. 97-261-T - ORDER NO. 98-26

JANUARY 30, 1998

JRE

IN RE: Application of Fidelity Moving & Storage)	ORDER
Company, Inc., 2663 Veneer Ave., North)	APPROVING
Charleston, SC 29419, to Transfer Class E)	TRANSFER
Certificate of Public Convenience and)	OF CERTIFICATE
Necessity No. 18-G to Atlantic Transfer &)	
Storage Co., Inc., 2663 Veneer Ave., North)	
Charleston, SC 29419.)	

This matter comes before the Public Service Commission of South Carolina ("the Commission") by way of the Application of Fidelity Moving & Storage Company, Inc. ("Fidelity" or "the Transferor") to transfer Class E Certificate of Public Convenience and Necessity No. 18-G to Atlantic Transfer & Storage Co., Inc. ("Atlantic" or "the Transferee").

Subsequent to the filing of the Application, the Commission's Executive Director instructed the Transferee to cause to be published a prepared Notice of Filing in newspapers of general circulation in the State of South Carolina.. The Notice of Filing indicated the nature of the Application and advised all interested parties desiring to participate in the proceeding of the manner and time in which to file pleadings to be included. No Protests or Petitions to Intervene were filed with the Commission.

A hearing was held on January 7, 1998, at 2:30 p.m., in the Commission's hearing room. The Honorable Guy Butler, Chairman, presided. Thomas Roth, General Manager

of Atlantic, appeared and offered testimony in support of the Application. Atlantic was not represented by counsel. Florence P. Belser, Staff Counsel represented the Commission Staff.

A review of the Application reveals that the Transferor has certified the following: (1) that there are no debts or claims against it; (2) that there are no unremitted COD collections due shippers; (3) that there are no claims for loss of or damage to goods transported or received for transportation; (4) that there are no claims for overcharges on property transported; (5) that there are no interline accounts due other carriers; and (6) that there are no wages due employees (of the transferor). The Application also contains copies of several bills of lading showing that the authorized services have been continuously offered and reasonable provided for 12 months prior to the filing of the Application.

In his testimony, Mr. Roth stated that Atlantic has been granted a franchise license by North American Van Lines. According to Mr. Roth, North American is one of the top moving companies in the world, and Atlantic's franchise license was granted after extensive investigation and background checks. Mr. Roth testified that Atlantic has no judgments outstanding and no pending litigation against it. Mr. Roth testified that he personally has over 30 years experience in the moving and storage business and that Atlantic personnel also has extensive experience in the moving and storage business. Also, Mr. Roth stated that Atlantic personnel are familiar with the rules and regulations governing for-hire movement of household goods and that Atlantic will operate in compliance with the rules and regulations.

Regarding Atlantic's equipment, Mr. Roth testified that Atlantic's vehicles are all in good repair. The Application reveals that Atlantic has three motor vehicles for use in providing moving services. Further, Mr. Roth stated that the equipment is inspected each day prior to being dispatched. Mr. Roth also offered that Atlantic's equipment has never been removed from the road by any regulatory enforcement official for safety or any other reason. Mr. Roth also offered that Atlantic has adequate equipment to service the needs of the public and that Atlantic has made additional arrangements with local equipment rental companies should the need arise for extra vehicles. Mr. Roth also stated that Atlantic has contracted for insurance coverage for the protection of the public and the company, and the Application contains a copy of the insurance proposal.

Mr. Roth also stated that he believed that the public convenience and necessity would be better served by the transfer. Mr. Roth affirmed that the instant Application involved a transfer of existing authority and not a grant of new authority. Mr. Roth also gave specific examples of instances where Atlantic had refused intrastate moves in the recent past due to not being certified. According to Mr. Roth, Atlantic can fill a need in the household goods moving business.

Upon consideration of the merits of the instant Application, the representations contained therein and the documentary evidence attached thereto, and the testimony of witness Roth, the Commission finds that (1) the transfer of the Certificate of Public Convenience and Necessity will not adversely affect the service to the public authorized by said Certificate; (2) the Transferee is fit, willing, and able to perform the services authorized under said Certificate; and (3) service under said Certificate has been

continuously offered and reasonably provided to the public for a period of time of not less than 12 months prior to the date of the filing of the Application.

The Commission also finds and concludes that the proposed transfer of the Certificate from the Transferor to the Transferee is in the public interest, and that relief sought in the Application for transfer should be approved.

IT IS THEREFORE ORDERED THAT:

1. The proposed transfer of Certificate of Public Convenience and Necessity No. 18-G from Fidelity Moving & Storage, Inc. to Atlantic Transfer & Storage Co., Inc. should be, and hereby is, approved.

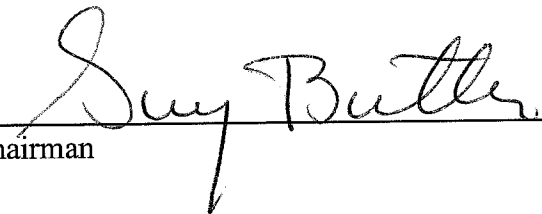
2. The Transferee shall file the proper license fees and other information required by S.C. Code Ann. §58-23-10 et seq. (1976), as amended, and by 26 S.C. Code Ann. Regs. 103-100 through 103-280 (1976), as amended, which are the Commission's Rules and Regulations for Motor Carriers, within sixty days from the date of this Order, or within such additional time as may be authorized by the Commission.

3. Upon compliance with S.C. Code Ann. § 58-23-10, et seq., (1976), as amended, and the applicable provisions of 26 S.C. Code Ann. Regs. 103-100 through 103-280 (1976), as amended, of the Commission's Rules and Regulations for Motor Carriers, a Certificate of Public Convenience and Necessity shall be issued to the Transferee authorizing the motor carrier services granted herein.

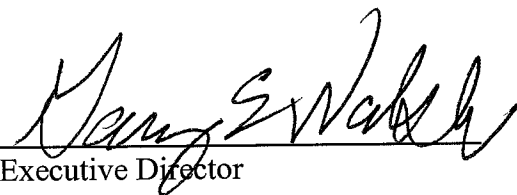
4. Prior to compliance with the requirements set forth herein and the receipt of a Certificate of Public Convenience and Necessity, the motor carrier services authorized herein shall not be provided.

5. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Deputy Executive Director

(SEAL)